

## CHAPTER 207

### HB 1207-FN-A – FINAL VERSION

29Jan2004... 0152h

17Mar2004... 0726h

05/06/04 1453s

25May2004... 1618eba

#### 2004 SESSION

03-2196

09/01

#### HOUSE BILL ***1207-FN-A***

AN ACT relative to a Global War on Terrorism operations service bonus payment.

SPONSORS: Rep. Hofemann, Straf 69; Rep. Brassard, Hills 50

COMMITTEE: State-Federal Relations and Veterans Affairs

#### AMENDED ANALYSIS

This bill establishes a bonus payment for New Hampshire veterans of Global War on Terrorism operations.

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Explanation: Matter added to current law appears in ***bold italics***.

Matter removed from current law appears [~~in brackets and struck through.~~]

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Four*

AN ACT relative to a Global War on Terrorism operations service bonus payment.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

207:1 New Subdivision; Global War on Terrorism Operations Service Bonus Payments. Amend RSA 115-A by inserting after section 15 the following new subdivision:

Global War on Terrorism Operations Service Bonus Payments

115-A:16 Qualifications for Bonus. Each person who actively served in any capacity as a member of the uniformed forces of the United States on or after September 11, 2001 and on or before a date to be determined by the Secretary of Defense, and who earned the expeditionary medal for Global War on Terrorism operations; and who was discharged, released or has a certificate of service therefrom, with an honorable discharge, or who is missing in action or who was killed in action; and who at the time of entry on such active service, and at the time of such service was a bona fide resident of this state shall be entitled to the benefits provided under this subdivision. A person shall demonstrate bona fide residency under this section through such person's home of record at time of entry as listed on a DD Form 214 or a written verification from a town or city clerk that such person was a resident of a New Hampshire town or city at the time of active service. No individual who has received a Global War on Terrorism operations bonus payment from another state shall be qualified to receive the benefits provided under this subdivision.

115-A:17 Roster. The director of the veterans council shall from time to time prepare a roster of the names of persons who have qualified for the bonus under RSA 115-A:16, and shall certify the same to the state treasurer, and prepare a manifest to authorize the state treasurer to make payments from funds not otherwise appropriated. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

115-A:18 Bonus Payment. In recognition of the services performed by the persons designated as eligible under RSA 115-A:16, the state treasurer, when such names are certified to the state treasurer as provided in RSA 115-A:17, and when application is made therefor, shall pay to each such qualified person the sum of \$100; and shall take such formal receipt as the state treasurer shall prescribe.

115-A:19 Payment in Cases of Incompetence or Death. If an eligible person is legally incompetent, payment shall be made to his or her legally appointed representative. If an eligible person dies before payment has been made to him or her, payment shall be made to such person's surviving spouse or, if none, to his or her child or children in equal shares; and if he or she has no surviving spouse or children, then in equal shares to his or her surviving parents. Payment shall not be made to more than 2 parents. Preference shall be given to the parent or parents who actually exercised parental control at the time of or most nearly prior to the date of the qualified person's entry into service. Proof of relationship in loco parentis shall be established by sworn statement of the applicant, together with supporting affidavits of 2 disinterested persons.

115-A:20 Written Evidence Required in Certain Circumstances. No applications shall be certified for payment unless written evidence is presented indicating that any person or persons herein described as having a prior right to benefits has died; and provided further that if, prior to the date upon which this subdivision takes effect, benefits have been paid to the father or mother of a qualified person, who at the time had a child or children, the rights or benefits shall not in addition accrue to said child or children as a result of the provisions of this subdivision.

115-A:21 Time Limit; Late Applications. No bonus payment shall be made under this subdivision unless application for the bonus payment is submitted within 5 years after the effective date of this subdivision. Any claim for bonus payment after such 5-year period shall be made to the director of the veterans council, and if approved by the director shall be submitted to the state treasurer and shall be a charge upon the general fund.

115-A:22 Forfeiture of Bonus. Any person who obtains a bonus payment under this subdivision by fraud shall forfeit such bonus to the state.

207:2 Effective Date. This act shall take effect upon its passage.

(Approved: June 11, 2004)

(Effective Date: June 11, 2004)